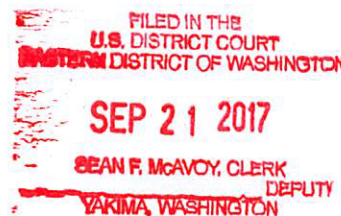


United States District Court

for the

Eastern District of Washington

Petition for Warrant or Summons for Offender Under Supervision



Name of Offender: Jose Martinez, Jr.

Case Number: 0980 1:17CR02023-LRS-1

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Edward J. Lodge, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: February 3, 2003

Original Offense: Possession with Intent to Distribute Marijuana, 21 U.S.C. § 841(a)(1)
Possession of a Firearms in Relation to a Drug Trafficking Crime, 18 U.S.C. § 924(c)(1)(A)
Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1);

Original Sentence: Prison - 211 months; Type of Supervision: Supervised Release
TSR - 36 months

Asst. U.S. Attorney: U.S. Attorney's Office Date Supervision Commenced: October 14, 2016

Defense Attorney: Federal Defender's Office Date Supervision Expires: October 13, 2019

PETITIONING THE COURT

To issue a summons.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

- 1 **Special Condition # 17:** You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: On October 18, 2016, Mr. Martinez was given a copy of his judgment and his conditions of supervision were explained to him. Mr. Martinez signed his judgment reflecting that he understood his conditions fully.

On March 14, 2017, Mr. Martinez completed a chemical dependency evaluation at Merit and was recommended to complete an outpatient substance abuse counseling program. On March 28, 2017, Mr. Martinez began an intensive outpatient treatment program. On September 7, 2017, Mr. Martinez was unsuccessfully discharged from treatment at Merit due to noncompliance, to include: positive urinalysis (UA) tests for drug use, and inappropriate behavior toward other female patients at the facility.

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Special Condition # 18: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On October 18, 2016, Mr. Martinez was given a copy of his judgment and his conditions of supervision were explained to him. Mr. Martinez signed his judgment reflecting that he understood his conditions fully.

Per Mr. Martinez' above referenced condition of supervised release, he was instructed to submit to UA testing on July 27, 2017. Mr. Martinez provided a urine specimen for UA testing, which was presumptive positive for cocaine. On August 1, 2017, the urine sample was confirmed positive for cocaine by laboratory testing.

On August 22, 2017, Mr. Martinez was instructed to submit to UA testing. Mr. Martinez provided a urine sample for testing, which was presumptive positive for cocaine and marijuana. On August 27, 2017, the urine sample was confirmed positive for cocaine and marijuana by laboratory testing.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: September 20, 2017

s/Arturo Santana

Arturo Santana
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

9/21/17
Date